

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

STUDENTS FOR FAIR ADMISSIONS,)
INC.,)

Plaintiff,)

v.)

Case No. 1:20-cv-763

UNIVERSITY OF TEXAS AT AUSTIN;)
JAMES B. MILLIKEN, Chancellor of the)
University of Texas System in his)
Official Capacity; STEVEN LESLIE,)
Executive Vice Chancellor for Academic)
Affairs of the University of Texas System)
in his Official Capacity; DANIEL H.)
SHARPHORN, Vice Chancellor and)
General Counsel of the University of Texas)
System in his Official Capacity;)
JAY HARTZELL, Interim President of the)
University of Texas at Austin in his)
Official Capacity; BOARD OF REGENTS)
OF THE TEXAS STATE UNIVERSITY)
SYSTEM; DAVID J. BECK, CHRISTINA)
MELTON CRAIN, KEVIN P. ELTIFE, R.)
STEVEN HICKS, JODIE LEE JILES,)
JANIECE LONGORIA, NOLAN PEREZ,)
KELCY L. WARREN, AND JAMES C.)
“RAD” WEAVER, as Members of the Board)
) of Regents in Their Official Capacities;)
DANIEL JAFFE, Interim Executive Vice)
President and Provost; RACHELLE)
HERNANDEZ, Senior Vice Provost for)
Enrollment Management and Student)
Success; and MIGUEL WASIELEWSKI,)
Executive Director for Office of Admissions,))

Defendants.)

**Declaration of
Liz Kufour**

I, Liz Kufour, pursuant to 28 U.S.C. § 1746, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I identify as a Black, Ghanaian-American woman. I grew up in an immigrant household and I am fluent in Twi.
3. I am currently a senior at the University of Texas at Austin (“UT”) double majoring in Business Management, and African & African Diaspora Studies.
4. I am the President of the Onyx Honor Society, the first Black honor society at UT that strives “for the advancement and inclusivity of the black community through academic excellence, leadership, and community engagement.”¹
5. I grew up in Arlington, TX and attended two different high schools—International Leadership of Texas: Arlington-Grand Prairie high school located in Arlington, Texas for my freshman and sophomore years, and the Texas Academy of Leadership in the Humanities at Lamar University located in Beaumont, Texas for my junior and senior years. At International Leaders, I was part of the Debate Team, played on the Basketball Team, and served as the Vice-President of the Student Council. During my time at the Texas Academy of Leadership, I volunteered at Baptist Hospitals of Southeast Texas and the Southeast Texas Food Bank.
6. Both of the high schools I attended were racially diverse, which cultivated a strong sense of belonging and confidence in my identity and orientation to the world. The International Leadership of Texas is majority Hispanic and African American, with smaller shares of White

¹ *The Onyx Honor Society*, HornsLink, (2020), <https://tinyurl.com/yy4hs52f>.

and Asian students.² The Texas Academy of Leadership in the Humanities is integrated with Lamar University, which is over 40 % Black and Hispanic.³

7. Having a diverse student body and a diverse curriculum in high school was essential to my growth and intellectual curiosity. For example, during my senior year of high school, I enrolled in a class on African American literature and fell in love with the themes, readings, and class discussions. The course inspired me to major in African and African Diaspora studies. When I learned that UT had one of the finest Black studies programs in the country, it further increased my interest in applying.
8. I strove to maintain a strong academic record in high school. The Texas Academy of Leadership in the Humanities “is a residential honors program for gifted and talented Texas high school-aged students” that emphasizes volunteerism and community service.⁴ At my first high school, I maintained a GPA of 3.9389. I had a GPA of 3.886 when applying to UT and scored a 1270 on the SAT. I do not believe that the SAT is indicative of a student’s potential to succeed in college; grades, leadership, and extracurricular activities provide a much fuller picture of student achievement.
9. In high school, I participated in the UT McCombs School of Business Future Executive Academy program for outstanding Black, Indigenous, and other people of color (BIPOC) as well as first-generation and low-income students. During that program, I connected with other Black high school students who were planning to apply to UT and pursue degrees in business. The fact that the McCombs School of Business created this space for Black and other students to receive

² *International Leadership of Texas High School - Arlington*, GreatSchools, (2020), <https://tinyurl.com/y4otqc72>.

³ *Lamar University Diversity & Demographics*, College Factual, (2020), <https://tinyurl.com/yyrks4ox>.

⁴ *Texas Academy of Leadership in the Humanities*, Lamar University, (2020), <https://tinyurl.com/yyy7ul75>.

mentorship and learn about opportunities made me feel welcome. Some of those students are my friends today and we assist each other in our studies and career pursuits.

10. When applying to colleges and universities, I was looking for an institution that had a sizeable population of engaged Black student-leaders, good mentorship programs, financial support, and excellent business and Black studies programs. I chose to attend UT because it matched these criteria.
11. The Black student leaders at UT helped me successfully transition from high school to college and feel welcome on campus. For example, the student group Afrikan American Affairs, which operates under the Multicultural Engagement Center, facilitates New Black Student Weekend before the first week of classes.⁵ The weekend includes “speakers, workshops, [and] team building exercises” and touches on “topics such as health and wellness, academics, and opportunities outside the classroom.”⁶ I participated in a camping event during that weekend and learned more about the campus climate and met many classmates who have become partners in my academic and leadership development. There is also a “Fade Texas” event during orientation that allows Black students to begin building relationships and community.⁷ If the number of Black students and affinity groups were to decrease, students like me would be less likely to apply to UT, and would experience significant impediments to adjusting to campus life, and feeling welcome and prepared for success.
12. Racism still has a psychological impact on many Black students and the way to address that racism is to have more Black students on campus, not less. For example, when one of my high school classmates made racially hostile comments to me during class, it affected me and I

⁵ *New Black Student Weekend: What is NBSW?*, Afrikan American Affairs, (2020), <https://tinyurl.com/y46ep5f3>.

⁶ *Id.*

⁷ *Id.*

doubted myself for a while. Other Black peers and Black affinity groups became my support system and an important part of my transcending that racism and experiencing success at UT. I have also dealt with bigoted attitudes from students at UT. For example, in one of my classes, White classmates with whom I was assigned group work wrote a lengthy complaint about me, using racially coded language often used against Black women, such as labeling me “negative” and “aggressive.” During the group work, the students refused to make accommodations for my work and class schedules when setting meeting times and refused to acknowledge my input, but expected me to fall in line and make all exceptions and accommodations for their schedules and preferences. Their behavior and subsequent racially-coded insults in the complaint were hurtful and made me feel isolated in the class. I am certain that an increase in the number of Black students on campus, and an increase in cross-racial and cross-cultural interactions in classes, would help students who are not accustomed to working as equals with people from other backgrounds learn how to be more collaborative, less judgmental, and more humble.

13. I have benefitted from having a diverse range of Black students on campus. For example, many of the Black leaders on campus have presented demands to UT President Hartzell and the administration, which include removing the name of former UT president Theophilus Painter from a campus Physics building. Painter perpetuated white supremacy and segregationist policies by refusing to admit a Black applicant, Heman Sweatt, to UT Law School in the 1940s. The administration proposed keeping the name of the building but also including a statue memorial for Sweatt outside the building. Initially, I thought that the proposal was a good idea, but one of my Black peers explained the racial history of UT and the degree to which white supremacist ideology shaped segregationist UT. After learning about that history and realizing that many other

UT presidents do not have buildings named after them, I realized that trying to rationalize the name of the building and functionally defending the segregationist era was unconscionable.

14. I have also improved as a critical thinker as a result of having more Black peers in the classroom.

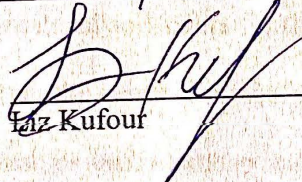
For example, I am currently enrolled in a Black Studies course. Before that class, I believed that racism as a concept was strictly tied to individual prejudice and could be perpetrated by any race.

After learning from my peers, I shifted to a definition of racism that encompasses not just prejudice, but also a power structure that affects the experiences of the targeted identity group.

15. I do not believe that class or socioeconomic status are sufficient proxies for race. There are intersectional differences between and among Black students, including income level, gender, language ability, and more. The specific racialized experiences of Black people across those intersecting identities should be represented as fully as possible on UT's campus.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Travis County in the State of Texas on October 30, 2020.


Laz Kufour